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| IN RE: APPEAL OF ACME STRUCTURE, LP, RELATIVE TO A PROPERTY LOCATED AT 42 NORTH FIFTH STREET (A/K/A 50 NORTH FIFTH STREET), CITY OF READING, BERKS COUNTY, PENNSYLVANIA | : BEFORE THE ZONING HEARING : BOARD OF THE CITY OF READING, : PENNSYLVANIA : : APPEAL NO. 2019-11 : : VARIANCE, INTERPRETATION : AND/OR SPECIAL EXCEPTION |
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**DECISION OF THE ZONING HEARING
 BOARD OF THE CITY OF READING**

AND NOW, this 12th day of June, 2019, a hearing having been held on May 8, 2019, upon the application of Acme Structure, LP, notice of such hearing having first been sent and advertised in accordance with the provisions of the Pennsylvania Municipalities Planning Code and the City of Reading Zoning Ordinance, as amended, the Zoning Hearing Board of the City of Reading (hereinafter referred to as the “Zoning Board”) renders the following decision:

FINDINGS OF FACT

The Zoning Board finds the following facts:

1. The Applicant is Acme Structure, LP, with a principal business address of 50 North Fifth Street, City of Reading, Berks County, Pennsylvania 19601 (hereinafter referred to as the “Applicant”).
2. Applicant is the fee simple owner of real property located at 42 North Fifth Street, City of Reading, Berks County, Pennsylvania 19601 (hereinafter referred to as the “Subject Property”).
3. The Subject Property is located in the C-C Commercial Core Zoning District and the Callowhill Historic District as those terms and districts are defined by the Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the “Zoning Ordinance”).
4. Applicant seeks relief from commercial signage requirements to expand two existing free standing signs at the Subject Property pursuant to Section 600-1725 and 600-1705 of the Zoning Ordinance.
5. There were no objections to the requested relief.

DISCUSSION

Applicant proposes to replace two (2) existing free standing signs with laser signs. The Zoning Board finds the proposed use in keeping with the spirit and intent of the Zoning Ordinance and will not be detrimental to the health, safety and welfare of the neighborhood or the zoning district subject to the conditions set forth in the Conclusions of Law.

CONCLUSIONS OF LAW

1. The Applicant is Acme Structure, LP.
2. The Subject Property is located at 42 North Fifth Street (a/k/a 50 N. Fifth Street), City of Reading, Berks County, Pennsylvania 19601.
3. The Subject Property is located in the CC-Commercial Core Zoning District and the Callowhill Historic District.
4. Applicant seeks relief from commercial signage requirements to expand two (2) existing free standing signs on the Subject Property.
5. The Zoning Board is permitted to grant applications for variances and/or special exceptions and to interpret the Zoning Ordinance.
6. In order to grant the requested relief and variance, Applicant must show it has satisfied the relevant sections of the Zoning Ordinance.
7. After reviewing the Applicant's request in detail, the Zoning Board enters the following decision:
 - a. Applicant is granted relief to expand the existing free standing signs as set forth in its application.
 - b. The proposed signs shall not exceed ninety-six (96) square feet and the bottom of the sign face shall not be higher than seven (7) feet from grade.

c. The relief granted is subject to review and approval by the Historical Architectural Review Board (HARB) of the City of Reading prior to the issuance of a zoning permit.

d. Applicant shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.

e. Applicant may not use, expand, alter or otherwise use the Subject Property inconsistent with the contents of this Decision without making application requesting further relief from the Zoning Board.

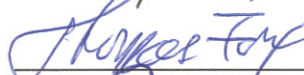
f. Failure to comply with any of these conditions shall mean the immediate revocation of the relief granted herein.

The decision of this Board is by a vote of 3 to 0.

**ZONING HEARING BOARD OF THE CITY OF
READING**



PHILIP RABENA, CHAIRMAN



THOMAS FOX



JEFFREY GATTONE

WILLIAM HARST